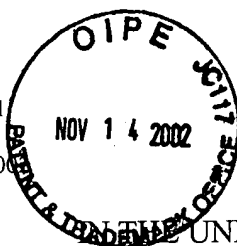


Dot#: 326615.1
NSP/SAB/hw
November 7, 2002



PATENT APPLICATION
DOCKET NO.: 1161.2002-008

GP/1641
RECEIVED
NOV 18 2002
TECH CENTER 1600/2900

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert A. Houtchens, Maria S. Gawryl, William R. Light and Javed Baqar

Application No.: 10/090,428

Group: 1641

Filed: February 28, 2002

Examiner: Not Assigned

For: PURIFICATION OF RED BLOOD CELLS BY SEPARATION AND
DIAFILTRATION

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>11-8-02</u>	<u>Hollie Wakefield</u>
Date	Signature
<u>HOLLIE WAKEFIELD</u>	
Typed or printed name of person signing certificate	

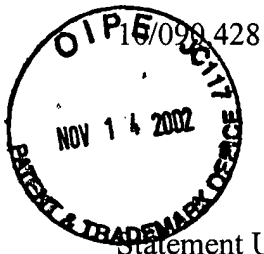
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)



Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references (AA-AF3, AL-AL2 & AR-AZ2) are enclosed.
 - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☒ The "concise explanation" requirement (non-English references) for reference AP under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☒ the enclosed English language abstract.

[X] Applicants request that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. 09/795,821, by Maria S. Gawryl, Robert A. Houtchens and William R. Light, filed February 28, 2001, Docket No.: 1161.2001-000

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

[X] A copy of each above-cited application, including the current claims, is enclosed.

[] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

[] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

[] Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By *Sandra A. Brockman*

Sandra A. Brockman

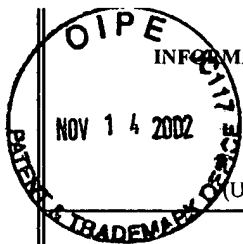
Registration No.: 44,045

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 11/8/02

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

NOV 14 2002

November 7, 2002

(Use several sheets if necessary)

1161.2002-000

10/090,428

APPLICANTS

Robert A. Houtchens et al.

CONFIRMATION NO.

6272

FILING DATE

February 28, 2002

GROUP

1641

U. S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME
	AA	3,864,478	04-Feb-1975	Bonhard
	AB	3,991,181	09-Nov-1976	Doczi
	AC	4,001,200	04-Jan-1977	Bonsen et al.
	AD	4,001,401	04-Jan-1977	Bonsen et al.
	AE	4,053,590	11-Oct-1977	Bonsen et al.
	AF	4,061,736	06-Dec-1977	Morris et al.
	AG	4,401,652	30-Aug-1983	Simmonds et al.
	AH	4,439,357	27-Mar-1984	Bonhard et al.
	AI	4,670,417	02-Jun-1987	Iwasaki et al.
	AJ	4,826,811	02-May-1989	Sehgal et al.
	AK	4,857,636	15-Aug-1989	Hsia
	AA2	4,861,867	29-Aug-1989	Estep
	AB2	5,045,529	03-Sept-1991	Chiang
	AC2	5,084,558	28-Jan-1992	Rausch et al.
	AD2	5,189,146	23-Feb-1993	Hsia
	AE2	5,194,590	16-Mar-1993	Sehgal et al.
	AF2	5,264,555	23-Nov-1993	Shorr et al.
	AG2	5,296,465	22-Mar-1994	Rausch et al.
	AH2	5,296,466	22-Mar-1994	Kilbourn et al.
	AI2	5,439,882	08-Aug-1995	Feola et al.
	AJ2	5,545,328	13-Aug-1996	Pliura et al.
	AK2	5,691,452	25-Nov-1997	Gawryl et al.
	AA3	5,691,453	25-Nov-1997	Wertz et al.
	AB3	5,753,616	19-May-1998	Rausch et al.
	AC3	5,808,011	15-Sept-1998	Gawryl et al.
	AD3	5,840,852	24-Nov-1998	Rausch et al.
	AE3	5,854,209	29-Dec-1998	Jacobs, Jr. et al.
	AF3	5,895,810	20-Apr-1999	Light et al.
EXAMINER			DATE CONSIDERED	

RECEIVED
NOV 18 2002
TECH CENTER 600/2900

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

NOV 14 2002

November 7, 2002

(Use several sheets if necessary)

APPLICANT

Robert A. Houtchens et al.

FILING DATE

February 28, 2002

GROUP

1641

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	COUNTRY
	AL	WO 88/03408	19-May-1988	PCT
	AM	WO 89/12456	28-Dec-1989	PCT
	AN	WO 00/21366	20-Apr-2000	PCT

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	Cheung, L.C. et al., "The Preparation of Stroma-Free Hemoglobin by Selective DEAE-Cellulose Absorption," <i>Analytical Biochemistry</i> , 137:481-484 (1984)
	AS	Cole, Daniel J. et al., "Focal Cerebral Ischemia in Rats: Effect of Hemodilution with α - α Cross-Linked Hemoglobin on CBF," <i>J. Cereb. Blood Flow Metab.</i> , 12(6):971-976 (1992)
	AT	De Venuto, F. et al., "Characteristics of stroma-free hemoglobin prepared by crystallization," <i>J. Lab Clin. Med.</i> , 89(3):509-516 (1977)
	AU	DeVenuto, Frank et al., "Appraisal of Hemoglobin Solution as a Blood Substitute," <i>Surgery, Gynecology & Obstetrics</i> , 149(3):417-436 (1979)
	AV	Feola, Mario et al., "Development of a Bovine Stroma-Free Hemoglobin Solution as a Blood Substitute," <i>Surgery, Gynecology & Obstetrics</i> , 157(5):399-408 (1983)
	AW	Gibbs, W. Wayt, "Artificial Blood Quickens," <i>Scientific American</i> , [online] [retrieved on February 14, 2001]. Retrieved from Internet: <URL:http://www.sciam.com/0996issue/0996techbus4.html>
	AX	Hamilton, Paul B. et al., "Preparation of Hemoglobin Solutions for Intravenous Infusion," <i>J. Exp. Med.</i> , 86:455-463 (1947)
	AY	Sehgal, Lakshman R. et al., "Polymerized pyridoxylated hemoglobin: A red cell substitute with normal oxygen capacity," <i>Surgery</i> , 95(4):433-438 (1984)
	AZ	Ritter, Stephen K., "Passing a Blood Test," <i>Chemical & Engineering</i> , 76:37-44 (1998)
	AR2	Savitsky, J. Philip et al., "A clinical safety trial of stroma-free hemoglobin," <i>Clin. Pharmacol. Ther.</i> , 23(1):73-80 (1978)
	AS2	Sharma, Ajay et al., "An Isologous Porcine Promoter Permits High Level Expression of Human Hemoglobin in Transgenic Swine," <i>Bio/Technology</i> , 12:55-59 (1994)
	AT2	Teicher, Beverly A. et al., "Oxygenation of tumors by a hemoglobin solution," <i>J. Cancer Res. Clin Oncol.</i> , 120:85-90 (1993)
	AU2	Alcorta, I. et al., "Influence of the Red Blood Cell Preparation Method on the Efficacy of a Leukocyte Reduction Filter," <i>Vox Sang</i> , 71:78-83 (1996)

EXAMINER

DATE CONSIDERED

RECEIVED
NOV 18 2002
TECH CENTER 1800/2900

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

November 7, 2002

(Use several sheets if necessary)

APPLICANTS
Robert A. Houtchens et al.

CONFIRMATION NO.
6272

FILING DATE
February 28, 2002

GROUP
1641

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME

RECEIVED
NOV 18 2002
TECH CENTER 1600/2900

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY
AO	824,375	25-Nov-1959	GB
AP	WO 89/06538	27-July-1989	PCT (w/ English Abstract)
AQ	WO 95/22605	24-Aug-1995	PCT
AL2	WO 96/29346	26-Sept-1996	PCT

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AV2	Baróti Tóth, C. et al., "IgA Content of Washed Red Blood Cell Concentrates," <i>Vox Sang</i> , 74:13-14 (1998)
AW2	Spain, David A. et al., "Quality Assessment of Intraoperative Blood Salvage and Autotransfusion," <i>The American Surgeon</i> , 63(12):1059-1064 (1997)
AX2	Bray, P.J. et al., "Defibrination of normal human blood in vitro: a method giving a high recovery of untraumatized cells," <i>British Journal of Haematology</i> , 35(4):551-559 (1977). (From Database Medline, 1997, Abstract No. NLM871408)
AY2	Kay, H. David et al., "Rapid recovery of non-hemolyzed serum and untraumatized cells by using a new method of blood defibrination in vitro," <i>J. of Immunological Methods</i> , 92(2):251-260 (1986)
AZ2	Topping, David L. et al., "Effects of insulin on the metabolism of the isolated working rat heart perfused with undiluted rat blood," <i>Biochimica et Biophysica Acta</i> , 844(2):113-118 (1985)

EXAMINER

DATE CONSIDERED